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June 11, 2024

VIA ECF

The Hon. Cathy Seibel  
Federal Building and United States Courthouse  
300 Quarropas St.  
White Plains, NY 10601

Re: *AmGuard Insurance Company v. Broan-NuTone, LLC*  
**Civil Docket No.: 7:23-cv-09429-CS**

Dear Judge Seibel:

This firm represents Broan-NuTone LLC (“Broan”) in the above-referenced matter. I write jointly with counsel for Plaintiff AmGuard Insurance Company (“AmGuard”) to respectfully request a brief extension to the current August 30 expert discovery deadline (ECF No. 26).

The parties have engaged in diligent, good-faith discovery in this matter. In addition to fire scene inspection and evidence examinations, both parties have exchanged initial disclosures, written discovery, and produced documents. The parties have also conducted some fact depositions. Prior to the fact discovery deadline, AmGuard timely requested the deposition of a Broan corporate representative, which Broan identified. The parties were able to meet and confer on agreeable dates. However, a dispute arose between the parties concerning documents AmGuard had requested in written discovery to which Broan had objected. Per Your Honor’s instructions, the parties have attempted to meet and confer without seeking judicial intervention, and Broan has agreed to produce a subset of the documents, without AmGuard waiving its rights to pursue additional discovery. This necessarily required the parties to adjourn the corporate representative deposition to a date in June. Additionally, based on documents produced by Broan, AmGuard served subpoenas on Johnson Motors (the motor manufacturer of the subject fan). The response to the subpoenas—including a possible deposition—is necessary for both AmGuard and Broan to assess expert discovery and complete expert reports.

Expert discovery is scheduled to be completed by August 30, 2024. Accordingly, the Parties respectfully request a 60-day extension to October 30, 2024, to complete expert discovery. Thank you for the Court’s consideration.

Respectfully submitted,

/s/ Justin M. Ginter

Justin M. Ginter

cc: All parties of record via ECF

Application granted. Expert discovery cutoff extended to 10/30/24.  
Conference adjourned to 11/13/24 at 4:30 pm (in person). Pre-motion  
letters, if any, due 10/30/24, with responses due 11/6/24.

SO ORDERED.

6/12/24

CATHY SEIBEL, U.S.D.J.

The Clerk shall terminate ECF No. 34.